

EXHIBIT 4

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 00-22691 CA 09

LORRAINE SWATY,

Plaintiff,

vs.

VERDICT

PHILIP MORRIS INCORPORATED,
(PHILIP MORRIS U.S.A.),
R.J. REYNOLDS TOBACCO
COMPANY, LORILLARD
TOBACCO CO., and
BROWN & WILLIAMSON CORP.,
Individually and as Successor to the
AMERICAN TOBACCO COMPANY,

Defendants.

WE, THE JURY, return the following verdict:

1. Do you find that Plaintiff LORRAINE SWATY's exposure to secondhand smoke in aircraft cabins was a legal cause of her chronic sinusitis?

YES _____ NO ✓ _____

If your answer is "NO," your verdict is for the Defendants and you should not proceed further, except to date and sign this verdict form and return it to the courtroom. If your answer is "YES," please proceed to Question 2.

By answering the following questions you will determine the damages that Plaintiff LORRAINE SWATY sustained as a result of the condition in question.

2. What is the amount of any damages sustained by Plaintiff LORRAINE SWATY for medical expenses:

A. In the past \$ _____

B. In the future \$ _____

Please answer Question 3 (next page).

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3. What is the amount of any damages sustained by Plaintiff LORRAINE SWATY for loss of earnings or capacity to earn money:

- A. In the past \$ _____
- B. In the future \$ _____

Please answer Question 4.

4. What is the amount of any damages sustained by Plaintiff LORRAINE SWATY for pain and suffering, disability, disfigurement, mental anguish, inconvenience or loss of capacity for enjoyment of life?

- A. In the past \$ _____
- B. In the future \$ _____

TOTAL DAMAGES \$ _____

(Please add lines 2A, 2B, 3A, 3B, 4A, and 4B)

SO SAY WE ALL, this 3 day of May, 2005.


FOREPERSON